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Advancement of women

Letter dated 11 October 2006 from the Permanent Representative of Turkmenistan addressed to the Secretary-General

I have the honour to transmit to you herewith the information regarding the measures taken by Turkmenistan to ensure and protect women's rights (see annex).

I would be very grateful if you would kindly circulate the present letter and its annex as a document of the sixty-first session of the General Assembly, under agenda item 61.

(*Signed*) Aksoltan **Ataeva**
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Annex to the letter dated 11 October 2006 from the Permanent Representative of Turkmenistan addressed to the Secretary-General

Information regarding measures adopted by Turkmenistan to ensure and protect women's rights

Upon acquiring independence in October 1991, Turkmenistan proclaimed human life as the highest value by preserving the dignity, safety and fundamental rights of its citizens regardless of their sex, religion, race or ethnicity. To this end, one of the topmost priorities of its state policy is the establishment of a comprehensive system designed to eradicate any manifestations of discrimination against women. The steady implementation of major legislative, judicial and administrative measures enabled Turkmenistan to achieve tangible results and build a solid foundation for further progress in this area.

The Constitution of Turkmenistan guarantees equality of rights and freedoms of all citizens and declares human rights to be inviolable and inalienable (articles 16 and 17 of the Constitution). Special provisions of the Main Law establish guarantees for the equality of women and men. It proclaims that women and men have equal civilian rights and that the violation of gender equality entails responsibility before the law (article 18 of the Constitution).

Turkmenistan has acceded to major international treaties on human rights and undertaken to prevent, prohibit and eliminate any attempts of discrimination against women and has consistently followed these obligations.

In Turkmenistan women are guaranteed full political, economic, social and cultural rights and freedoms envisaged by the Main Law and the laws of the country, as well as by the international obligations of Turkmenistan. The country has established democratic institutions and procedures ensuring women equal rights and opportunities to have access to public employment, participation in elections and the rights and opportunities to be elected to bodies of state power, take part in running public and state affairs, create public associations and participate in their work. Turkmenistan's legislation and practice are free of any prohibitions or discriminatory restrictions with respect to women's political rights.

Under appropriate articles of the Law on Election of the Members of Madjlis (Parliament) of Turkmenistan and the Law on Election of Members of Gengeshy (organs of local self-government), it is prohibited to use direct or indirect restrictions on election rights of Turkmenistan citizens based on sex. Women accounted for 50.3 per cent of all electors who took part in the December 1990 elections of Madjlis members. Women comprised 26 per cent of the deputies elected to the Madjlis. Women accounted for 30 per cent of the participants of the 14th meeting of the Hulk Maslakhaty, held on 14 and 15 August 2003. During the elections to local representative bodies (Gengeshy), held on 6 April 2003, 14 per cent of elected representatives were women. The current composition of the Central Election Commission was determined by the Hulk Maslakhaty in its decision of 30 August 2004, and now women comprise 53 per cent of its members.

The direct participation of women in central and local representative authorities ensures their active participation in shaping and implementing the government's policy.

A woman serves as deputy chairperson of Turkmenistan's Madjlis; a woman also heads one of the Madjlis committees; and women deputies take part in the work of all the committees of the Parliament.

Women comprise 42 per cent of all the employees of administrative and government bodies at all levels. They account for the greater share of employees in financial management, education, public health, social security, and so on. Women hold responsible positions as ministers of culture, television, radio broadcasting and social security and as deputy ministers, heads and deputies of khyakims, local administrative and territorial authorities.

At a time of radical economic transformations, the Constitution and legislation of Turkmenistan and fast growing branches of the national economy provide women with great opportunities to work in any sphere.

Secure legal and social conditions have been established in Turkmenistan, which enable women to fulfil their right to choose an occupation or type of work that corresponds to the international requirements in this area. In total, women account for 50.6 per cent of all doctors, 62.7 per cent of high school teachers, 57.7 per cent of secondary level vocational training schools and 33 per cent of higher educational establishments. Women account for over 50 per cent of financial workers, 49 per cent of communal services workers, 47 per cent of trade sector workers, 43 per cent of industrial workers, 51 per cent of agricultural workers, 21 per cent of construction workers, 23 per cent of transport sector workers and 42 per cent of state government employees.

Women account for 54.4 per cent of the total annual average of people employed in the sphere of culture and arts and comprise 67 per cent of all those employed in the sphere of sports and physical culture. It is impossible to find a single sphere of culture and arts where women could not realize their potential as creative persons. Women are widely represented in the work of our country's theatres, as half of their troupes are made up of women. As regards the National Academy of Arts, the National Conservatory and the Institute of Culture, women make up over 50 per cent of their teaching staff and women and girls account for 50 per cent of the student body.

According to the data of a study of work force employment problems conducted by the National Institute of State Statistics and Information of Turkmenistan, the level of economic activity among working age women (16-56 years) is high, reaching 85 per cent. Women account for 30 per cent of employers and 62 per cent of entrepreneurs (private persons). Most women entrepreneurs are occupied in small scale and retail business; however, more than 10 per cent of those women run those firms, private enterprises and financial structures.

Employment in the formal sector of economy (especially the state sector) in Turkmenistan provides, for example, equal salaries for men and women. Differences in payment for work are related to employment in different sectors or branches of the economy as well as to the position held. Thanks to annual increases in salaries in the state sector, the level of salaries in such sectors as public health, culture and the

arts, where mostly women are employed, has surpassed the average level of salaries in the state sector of economy by 5 per cent.

In Turkmenistan the gender-based development index amounts to 0.716 and does not differ much from the human potential development index equalling 99.5 per cent. This is something that clearly testifies to the fact that there are minimal differences among men and women in the sphere of human development in the country.

Wages and salaries of employees of public institutions and organizations are set by the state, and it does not establish any differences in wages for equal work of men and women. The system of work pay, rates, salary scales and bonuses is determined by enterprises on the basis of collective bargaining agreements between the employers and employees, with the participation of trade unions. Those agreements provide for improvement of work organization, honourable work pay and its timely distribution (article 81 of the Labour Law Code, para. 14 of the Statute of Turkmenistan Trade Unions).

The Law of Turkmenistan on State Benefits of 17 July 1998 establishes the following types of social benefits: pregnancy and maternity, child care, temporary loss of employment, disability, loss of the provider, etc.

Pregnancy and maternity benefits for women are set at 100 per cent of their salary during the entire period of their leave, i.e. 112 calendar days, regardless of the duration of their work, or place of employment, and apply to seasonal and temporary workers.

When necessary, a woman who caters for two or more children can get additional leave without pay for up to 14 days. Additional leave of up to 10 days is also given to spouses for celebrating their marriage or performing funerals.

Equal access to education and equal conditions for getting education are guaranteed in Turkmenistan through equality of men and women. Women on an equal par with men are integrated into the system of education and vocational training. According to the Constitution of Turkmenistan, the right to education is given to every citizen regardless of sex. General secondary education is mandatory. Education in secondary schools and state vocational institutions and higher educational establishments of the country is free (article 35 of the Constitution).

Unprecedented social support, free education, use of the public health network, access to the system of benefits and preferences provided to women by the state create real opportunities for women, enabling them to realize their creative potential and enjoy their rights. It is noteworthy that education, and especially higher education, continues to remain important among the social values of young girls.

A system of tax benefits is specifically used to stimulate work among women. Working women with three or more children pay 30 per cent less in taxes. Mothers with five and more children are exempt from taxation. Indirect growth of monetary incomes of working people is stimulated by means of a preferential system of taxation for small businesses where many women are employed. (See, the Law of Turkmenistan of 12 July 1999 on Changes to the Law of Turkmenistan on Profit Tax.)

Subsidies and transfers provided by the state to the population have a positive impact on ensuring equal status of women in the family and society. Thanks to the

free provision of public utilities such as natural gas, water, electricity, very low rates for housing and related services, low fees for communications and mass transit, the proportion of expenditures on basic services is relatively low in household budgets. In Turkmenistan monetary expenditures of the population on all types of services amounted to 5 per cent in 2002, which is much lower than in any other country.

The Law of Turkmenistan on Pensions (1998) stipulates that the duration of work and the duration of pension insurance include care provided by the non-working mother to her little children until they reach the age of three (for a total of not more than six years). Women who give birth and raise three children to the age of eight have the right to receive the pension one year earlier than the age established by the Law (57 years), two years earlier if they have four children and three years earlier if they have five or more children or a disabled child. It should be taken into consideration here that, according to the 1995 census, the average family size in Turkmenistan equalled 5.3 persons, including 4.6 persons in urban areas and 6.0 persons in rural areas. In other words, every third family in Turkmenistan is a family with many children, numbering five and more children.

The Code of Marriage and Family of Turkmenistan envisages that "Motherhood in Turkmenistan is surrounded by universal honour and respect. It is protected and promoted by the State."

The country has in place a comprehensive system for the protection of motherhood and childhood that provides for mandatory care of women during pregnancy, childbirth and the post-natal period, as well as care for children, especially during the first five years of their life. Numerous awareness activities are carried out to provide information on nutrition, breastfeeding and healthy lifestyles.

The Ministry of Public Health and Medical Industry of Turkmenistan comprises a reproductive health service that includes six reproductive health centres and their branches in Ashgabat and all *velayats* (regions). Each *etrap* (area) has reproductive health offices. The main task of those services is to reduce the incidence of disease among future mothers, maternal and infant mortality, provide assistance to families in regulating intervals between childbirth and selecting the proper time for childbirth, depending on the age of the parents.

Health Houses provide monitoring of the health of mothers and infant children up to one year of age. There are 208 women's consultation services and infant health houses in Turkmenistan to provide protection for family reproductive health, monitoring and consultation for pregnant women, and care for mothers and newly born children. The effectiveness of the measures taken to protect the health of pregnant women is corroborated by the fact that over 92 per cent of pregnancies culminate in successful childbirth.

In Turkmenistan special attention is devoted to the protection of working pregnant women and women with small children. Taking into account the reproductive function of women, legislation of Turkmenistan envisages benefits for pregnant women such as lower output rates, transfer to lighter jobs excluding negative influence of production factors and payment of average former job wages. It is strictly prohibited to use pregnant women and women with children under three years of age for night-time work, overtime work, work on holidays and work in missions. In addition to their general lunch break, breastfeeding mothers receive every three hours additional time of up to half an hour for feeding their infants.

In accordance with the Labour Law Code, it is prohibited to use women labour in difficult and harmful jobs, as well as underground jobs, excluding some jobs not involving physical work or sanitary and catering services. It is also prohibited to use women for carrying and moving heavy loads exceeding maximum limit loads allowed for them.

The use of women on night jobs is not allowed. This rule does not apply to some branches of the national economy where such work is justified by special need and is performed only as a temporary measure.

A shortened working day of six hours is set for pregnant women working in field conditions in agriculture. In that case they are paid average wages.

Women who have children from 3 to 14 years of age (disabled children up to the age of 16) cannot be used for overtime work or sent on missions without their consent.

As of 1 December 2003, 944 preschool childcare facilities have functioned in the country. There are 129,000 children using those facilities, 51 per cent of whom are girls.

Primary health care has been improved during the reform of the public health system. Multi-service and specialized hospitals, including mother and child hospitals, have been established in Ashgabat and *velayat* centres, in place of old medical establishments. In rural areas different medical facilities were reorganized into rural Health Houses which now form part of *etrap* (regional) hospitals. In cities polyclinics were reorganized into urban Health Houses. The family-oriented principle of medical service has been introduced.

As of 1 January 2002, 4,367 family sectors have been established in the country where 3,137 family doctors, 1,061 family paramedics and 6,237 nurses are employed. Medical insurance covers 93.1 per cent of the population.

The health programme of Turkmenistan envisages the implementation of the national strategy of reproductive health of Turkmenistan for the period up to the year 2020, which was developed and is implemented jointly with the United Nations Population Fund and the World Health Organization. The reproductive health strategy includes the programmes on family medicine, combating anaemia in Turkmenistan, the protection of and support for breastfeeding, reproductive health protection service, immunoprophylactics, etc.

Turkmenistan is one of the first countries in the world, and also the first country in the Commonwealth of Independent States, that received universal recognition for fulfilling its obligations in combating iodine deficiency diseases.

During the five-year period from 1995 to 2000 the incidence of major infectious diseases has been reduced by more than half.

In 2002, 92 per cent of pregnancies resulted in successful childbirth. As compared to 1995, the incidence of infant mortality (children under one year of age) was reduced by half.

Turkmen women have equal access with men to agricultural loans and credits. In accordance with the Law of Turkmenistan on Commercial Banks and Bank Activity of 8 October 1993, access to loans does not depend on the sex of the borrower, nor does it depend on the place of his/her residence (article 13 of the

Law). By encouraging development of market relations in the agricultural sector, the President and the Government of Turkmenistan have introduced a system of benefits that exempt the *daikhan* (peasant) farms from taxes on water and cattle and other taxes. This system also envisages a broad spectrum of easy term credits and loans with a view to encouraging agricultural production. Long-term credits and loans are issued at an annual rate of 3 to 5 per cent and payment of the principle can begin three to five years from the time the loan was received. The terms of the loan do not carry any exemptions or restrictions based on sex.

Turkmenistan's legislation establishes equal rights to marriage for men and women. This rule is enshrined in the Constitution of Turkmenistan and the Code of Laws on Marriage and Family. According to article 25 of the Main Law, men and women have equal rights upon reaching the marriageable age. Article 4 of the Code of Laws on Marriage and Family contains the provision prohibiting any direct or indirect restrictions of rights or establishment of any direct or indirect advantages for marriage. Restrictions or forced marriage entail legal responsibility.

Equality of rights and the obligations of both parents are enshrined in the laws of the country. Accordingly, the father and the mother have equal rights and responsibilities towards their children. Parents have equal rights and bear equal responsibilities towards their children in case of divorce. All matters relating to the upbringing of children are resolved by the parents on the basis of mutual consent. The protection of the rights and interests of the children is the responsibility of both their parents (articles 64, 65 of the Code of Labor Laws of Turkmenistan).

During 15 years of independent development under complex conditions owing to the change of the socio-political system and the transition to a market economy, Turkmenistan has achieved great success in gender development. The country has established a legislative framework and put in place tested practical mechanisms ensuring the realization of women's rights. Considerable experience of international cooperation has been accumulated. The country has established a firm foundation that allows it to embark on the implementation of further steps in pursuing its comprehensive gender policy. Our country is ready to undertake this task both at the national level and in cooperation with international organizations.